

# UNITED STATES BANKRUPTCY COURT Eastern District of California

Robert T Matsui United States Courthouse  
501 I Street, Suite 3-200  
Sacramento, CA 95814

(916) 930-4400  
www.caeb.uscourts.gov  
M-F 9:00 AM – 4:00 PM



## Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 4/30/13.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed above. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors – Do not file this notice in connection with any proof of claim you submit to the court.  
See Reverse Side For Important Explanations.**

**Case Number:** 13-26036 – A – 7

**Debtor Name(s), Last four digits of Social Security or Individual Taxpayer ID (ITIN) No(s)/Complete EIN, and Address(es):**

Jose A Aguirre  
xxx-xx-8776

Arlene P Aguirre  
xxx-xx-0231

250 Wisteria Lane  
Tracy, CA 95377

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Tracy, CA 95377

**Debtor's Attorney:** Michael S. Martin  
121 E 11th St #1  
Tracy, CA 95376

**Trustee:** Gary Farrar  
PO Box 576097  
Modesto, CA 95357

**Telephone Number:** 209-565-4050

**Telephone Number:** 209-551-1962

### MEETING OF CREDITORS

**Location:** United States Trustees Meeting Room, Suite 2, 1st Floor, 1200 I St, Modesto, CA

**Date & Time:** 5/23/13 10:00 AM

The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors. See Explanations and Important Notice to Individual Debtors on reverse side.

**Presumption of Abuse under 11 U.S.C. § 707(b)** – See "Presumption of Abuse" on the reverse side.

The presumption of abuse does not arise.

**Deadlines** – Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts:**  
7/22/13

**Deadline to Object to Exemptions:** Thirty (30) days after the conclusion of the meeting of creditors.

### Creditors May Not Take Certain Actions

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**It is unnecessary to file claims at this time** because it does not appear from the schedules that enough assets are available for payment of a dividend to creditors. If sufficient assets become available, you will be sent a Notice to File Claims.

### Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "It Is Unnecessary to File a Proof of Claim at This Time" on the reverse side.

Dated:  
5/2/13

For the Court,  
Wayne Blackwelder, Clerk

FORM b9a  
(Continued)

## EXPLANATIONS

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; starting or continuing lawsuits or foreclosures; repossessing the debtor's property; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	<p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.</p> <p><b>Important Notice to Individual Debtors:</b> The United States Trustee requires all debtors who are individuals to provide government issued photo identification and proof of social security number to the trustee at the meeting of creditors. <i>Failure to appear at the meeting of creditors, or failure to provide proper identification and proof of social security information, may result in a motion to dismiss your case.</i></p>
It is Unnecessary to File a Proof of Claim at This Time	<p>There does not appear to be any property available to the trustee to pay creditors. <i>It is therefore unnecessary to file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.</p> <p><i>Do not include this notice with any filing you make with the court.</i></p>
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a) (2), (4), or (6), you must file a complaint — or a motion if you assert the discharge should be denied under §727(a)(8) or (a)(9) — in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.

--- Refer to Other Side For Important Deadlines and Notices ---